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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GUILLERMO HERRERA, et al.,

Defendants.

No. CR 08-0730 WHA

**ORDER DENYING DEFENDANT
HERRERA'S REQUEST FOR
RECONSIDERATION OF ORDER
RE DEFENDANT PALMA'S
SENTENCING CONTINUANCE**

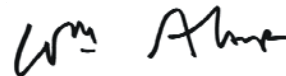
Defendant Guillermo Herrera has filed a request for reconsideration of the order (Dkt. No. 1673) denying his motion to rescind the stipulated continuance of the judgment and sentencing of defendant Palma is **DENIED**. Pursuant to Criminal Local Rule 2-1 and Civil Local Rule 7-9, a party seeking leave to file a motion for reconsideration must show:

- (1) That at the time of a motion for leave, a material difference in fact or law exists from that which was presented to the Court before entry of the interlocutory order for which reconsideration is sought. The party also must show that in the exercise of reasonable diligence the party applying for reconsideration did not know such fact or law at the time of the interlocutory order; or
- (2) The emergence of new material facts or a change of law occurring after the time of such order; or

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(3) A manifest failure by the Court to consider material facts or
dispositive legal arguments which were presented to the Court
before such interlocutory order.

Defendant Herrera has not shown any of the above. His motion merely reiterates
arguments made in his original motion which have already been rejected. His motion for
reconsideration is therefore **DENIED**.



Dated: June 23, 2010.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE